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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
HUSAM SAMARAH,)
)
Defendant.)
_____)

CASE NO. CV08-3434-R
CR 02-128-R

ORDER

Defendant Husam Samarah moves pursuant to 28 U.S.C. §2255 to set aside or correct the sentence imposed on him in case number CR02-128-R.

Notice of Appeal was filed in this matter on May 3, 2007 and has not been resolved.

This Court is without jurisdiction.

The motion is denied.

DATED: October 17, 2008.



MANUEL L. REAL
UNITED STATES DISTRICT JUDGE